

**OPEN MEETING MINUTES, January 20, 2009**

**SELECTMEN'S MEETING  
Tuesday, January 20, 2009 7 p.m.  
H. BERNARD MONAHAN MEMORIAL ROOM  
TOWN HALL, 242 UNION STREET  
ROCKLAND, MASSACHUSETTS**

**BOS Meeting 7pm**

**PLEDGE OF ALLEGIANCE  
MOS**

**1. OPEN FORUM**

**a. Michelle Polland spoke regarding the support she received from the Fire Dept. Captain Duffy and FF DiTocco during a recent Carbon Monoxide scare at her home.**

**b. Interim Fire Chief Ferguson requested all residents clear snow and ice from hydrants near their homes, and informed the public burning permits require check for payment, no more cash.**

**c. Mary Parsons spoke regarding transparent government, & meeting minutes. She spoke regarding the Inspector General's Office and the Karlson, Hannigan and PSG investigations.**

**Mr. Chiocca spoke to the BOS regarding an error in the DOR recap sheet which could cost the community \$637,543.51 of its tax levy limit. The recap was calculated using the entire LNR anticipated revenue as part of Rockland revenue projections instead of just the portion actually appropriated at town meeting.**

**Rockland will require special legislation to be filed by the Governor's Office to correct this error by permitting Rockland to send out adjusted 4<sup>th</sup> quarter bills.**

**~ Motion by Mr. Chaffee, 2nd by Mr. Johnson to authorize the Town Administrator to request Special Legislation be filed by the Governor to recover up to the \$637,543.51 in excess levy capacity or take whatever action necessary to recapture the lost funds.  
Motion passed 5-0.**

2. **Executive Session Minutes- N/A**
3. **Open Session Minutes-January 5, 2009**  
~Motion to accept by Mr. Chaffee, 2<sup>nd</sup> by Ms. O'Brien, passed 5-0
4. **Open Session Minutes-September 4, 2007 (Simpson, Chaffee & Zupkofska)**  
~Motion to accept by Mr. Chaffee, 2<sup>nd</sup> by Mr. Zupkofska, passed 3-0.
5. **Open Session Minutes-October 15, 2007 (Simpson, Chaffee & Zupkofska)**  
~Motion to accept by Mr. Chaffee, 2<sup>nd</sup> by Mr. Zupkofska, passed 3-0.

## **UNFINISHED BUSINESS**

6. **Community Development Hearing-continued**  
Wayne Darragh continued his presentation of the CDBG application with the updates and language changes as requested by the BOS.  
~Motion to close hearing by Mr. Zupkofska, 2<sup>nd</sup> by Mr. Chaffee, passed 5-0.  
~Motion to by Mr. Zupkofska, 2<sup>nd</sup> by Ms. O'Brien to adopt the Town of Rockland's 2009 Community Development Strategy as amended  
~Motion by Mr. Chaffee 2<sup>nd</sup> by Ms. Obrien to have the BOS authorize the submission of a Fiscal Year 2009 Community Development Fund I application for two activities, the replacement of the elevator at the Community Center and the reconstruction of Union Street sidewalks between North Avenue and East/West Water Streets, in an amount not to exceed \$900,000.
7. **Estes Auto Property**  
~Updated the BOS regarding ongoing discussion to attempt to have Estes Auto. We will continue to explore funding through Brownfields Grants to reclaim the property at no expense to the town.
8. **Sexual Harassment Policy**  
~Motion to accept revised policy by Mr. Johnson, 2<sup>nd</sup> by Mr. Zupkofska, passed 5-0.
9. **Fraud Policy**  
~Motion to table by Mr. Chaffee, 2<sup>nd</sup> Ms. O'Brien passed 5-0.
10. **Fire Chief Selection Process**  
~Motion to appoint Deputy Fire Chief Ferguson as Interim Fire Chief until July 1, 2009, by Mr. Chaffee, 2<sup>nd</sup> by Ms. O'Brien passed 4-1(Zupkofska).

## **NEW BUSINESS**

11. **Highway Dept Snow and Ice Removal Invoices**  
~Motion to rescind the VIN# listing requirement on invoices on by Mr. Chaffee, 2<sup>nd</sup> by Mr. Simpson, passed 3-1(Zupkofska)-1(O'Brien abstained)

~Motion by Mr. Johnson, 2<sup>nd</sup> by Mr. Zupkofska to request Superintendent Corvi remove Mr. Hannigan from the plowing list or driving for the town.

**12. Bat Bus Presentation**

~Ray Ledoux, Administrator of Brockton Area Transit Authority (BAT) made a presentation with regard to exploring potential bus services to Rockland. BAT would seek research plans and available grants to design and develop plans for bus service to Rockland.

~Motion by Mr. Zupkofska, 2<sup>nd</sup> by Ms. O'Brien to join BAT passed 4-1(Johnson)

**13. Citizens Energy Program**

Mr. Joseph Fitzpatrick, of Citizens Energy Corporation, appeared to request establishing a Green Alliance with the Town of Rockland.

**14. Superintendent Retchless/Energy Committee-Rockland High Solar Grant**

Superintendent Retchless and Carol Perilli of the Energy Committee spoke to the BOS regarding the recent award of a \$150K energy grant from the Renewable Energy Trust Clean Energy Choice Initiative for the installation of solar panels on the RHS.

**15. Hearing Fast Lane Liquors –New License**

~Motion to Open Hearing by Mr. Chaffee 2<sup>nd</sup> by Ms. O'Brien passed 5-0.

~Motion to Refer application to ZBA by Mr. Zupkofska, 2<sup>nd</sup> Ms. O'Brien 5-0.

~ Motion to continue hearing until report from ZBA by Mr. Zupkofska, 2<sup>nd</sup> by Ms. O'Brien 5-0.

**16. Appointment to the Cultural Council for 2 year term-Janet Counihan**

~Motion to Approve by Mr. Zupkofska, 2<sup>nd</sup> Ms. O'Brien passed 5-0.

**17. Town Meeting and STM Date and Open/Close Warrant(s)**

Mr. Chiocca reminded the BOS the Annual town Election would be held on Saturday April 11, 2009 recommended the following schedule:

Schedule Town Meeting and Special Town meeting for May 4, 2009

Open the warrant for Town Meeting and Special Town Meeting Jan 20, 2009

Close the warrant for all items requiring hearings on Wednesday March 4, 2009

Close the warrant for all other items Wednesday March 18, 2009

~Motion to approve Town Meeting by Mr. Zupkofska, 2<sup>nd</sup> by Ms. O'Brien 5-0.

~Motion to approve Special Town Meeting schedule to coincide with the TM schedule by Mr. Chaffee, 2<sup>nd</sup> Mr. Zupkofska 5-0.

Mr. Chiocca recommended the BOS declare the need for an emergency Special Town Meeting in anticipation of Local Aid cuts by the Governor and Legislature.

Schedule proposed to open the Emergency STM on February 23, 2009. Warrant to open on January 20, 2009 and close the warrant on February 2, 2009.

~Motion to approve by Mr. Johnson, 2<sup>nd</sup> Mr. Zupkofska, passed 5-0.

18. **Auditor's Report and Management letter**  
Rob Lynch presented to the BOS results and finding of the audit for 2008.  
~Motion to place the reports on the town web Sit by mr. Zupkopska, 2<sup>nd</sup> by Ms. O'Brien passed 5-0
19. **Conflict of Interest Seminar**  
Mr. Chiocca to contact the Inspector General's Office for possible seminar.
20. **Beech Street Trench Report**  
The abutters cancelled meeting today. Rockland has included a request for funding through the Lt. Governor.
21. **Poland Family letters**  
Presentation during Open Sessions
29. **Town Administrator's Report**  
~Act Validating STM & TM –Chapter 481 acts of 2008  
~Report on "shovel-ready" Grant request applications to Lt. Gov. Office  
~Reported on Library application for waiver  
~Best Buddies Challenge request to pass through Rockland on May 30, 2009 approved by Motion of Mr. Zupkopska, 2<sup>nd</sup> Mr. Chaffee passed 5-0.  
~Notice received Margaret Bryan was appointed Alternate to the BOD Old Colony Elderly Services.

## **30. CORRESPONDENCE**

## **SELECTMAN'S COMMENTS**

## **EXECUTIVE SESSION**

### **Executive Session for Collective Bargaining and Litigation**

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**Allan R. Chiocca**  
Town Administrator

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**Lawrence Chaffee, Vice Chairman**  
for the Board of Selectmen

**Note: Open Meetings are recorded by local cable WRPS and are considered the official record of the BOS meetings**